REMARKS

In accordance with the foregoing, claims 1-3, 5-7, 9-11,13-14, and 16-18 are amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-18 are pending and under consideration. Reconsideration is respectfully requested.

Claim Amendments

Claim 1 is amended to recite a method for converting a structured document including "information comprising an index indicating an order of a respective tagged document in the structured document and a depth of the respective tagged document defined by the XML structured document format in said structured document to said divided documents, wherein said converting comprises converting the structured document into a new structured document in XML format by adding said index and said depth information as attribute values restricted by a namespace."

Claims 2, 9, 10, 16, and 18 are similarly amended. Dependent claims 3, 5-7, 11, 13, 14, and 17 are amended to correspond to respective parent independent claims.

Support for the amendments is found, for example, in Figs. 4 and 5 and paragraph [0054] of the specification. No new matter is being presented, and approval and entry are respectfully requested.

Item 6: Rejection of Claim 2 under 35 U.S.C. §102(e) as being anticipated by Jakopac et al. (U.S. Pub. 2002/0029229)

In item 6 of the Office Action, the Examiner rejects claim under 35 U.S.C. §102(e) as being anticipated by Jakopac. The rejection is traversed.

As set forth in MPEP §706.02 entitled Rejection on Prior Art, anticipation requires that the reference must teach every aspect of a claimed invention. Jakopac does not support an anticipatory-type rejection by not describing features recited in claim 2. Claim 2 recites a method for converting a structured document including:

a) "dividing, by a computer, a structured document in XML format, which is composed of tagged documents listed sequentially and ordered hierarchically, by tags, in a file;" and

b) "that added positional information comprising an index indicating an order of a respective tagged document in the structured document and a depth of the respective tagged document defined by the XML structured document format in said structured document to said divided documents (emphasis added)," and

c) "wherein said converting comprises adding said positional information as attribute information in respective tags."

Applicant submits that Jakopac does not teach such a converting of a structured document into tagged documents in XML format having "added positional information" that includes an index indicating an order of a respective tagged document in the structured document and a depth of the respective tagged document defined by defined by the XML structured document format."

By contrast, Jakopac merely teaches:

> XML files are compressed . . . based on a level parameter. The level parameter specifies how many nested entity levels down from the document root to go before compressing sub-trees. For example, a LEVEL 2 XML compressed file has each child of the document root replaced with a reference, e.g., <child id>, to the compressed sub-tree. FIG. 12 illustrates an exemplary XML file. The XML entity tags, e.g., child id, grandchild id . . . , correspond to the relationship of the entity tag to the document tree structure.

(Emphasis added, See, for example, paragraph [0049]). Further, Jakopac merely teaches:

> An exemplary tag that can be used for the processing instructions is "xmlzip." Associated with this exemplary tag are two attributes: LEVEL and xmlzip. The LEVEL attribute can, for example, take numeric values and indicate the default document tree level to commence compression of sub-trees. The xmlzip attribute can, for example, take the values "true" and "false." If the xmlzip attribute is "false," then the document has not been compressed according to the systems and methods of this invention. However, if the xmlzip attribute is "true," then the document is compressed.

(Emphasis added, See, for example, paragraph [0052]).

That is, Jakopac merely teaches LEVEL tags that indicate whether a file is to be compressed and how many nested entity levels down from the document root to go before compressing sub-trees.

According to an aspect of the present invention, as illustrated, for example in Figs. 4 and 5, the tags added to the documents include information based on both an order, e.g., top - down and a depth, e.g., left to right. Further, such a tagging allows the original document to be restored, both in order and depth, that would not be possible with teachings of Jakopac.

Summary

Since features recited by claim 2 are not taught by Jakopac, the rejection should be withdrawn and claim 2 allowed.

Items 9-10: Rejection of claims 1-18 under 35 U.S.C. §103(a) as being unpatentable over O'Neil et al. (U.S. Pub 2003/0110150) in view of combinations of Jakopac and Jones et al. (U.S. Pub. 2004/0205583) and Kanie et al. (U.S. Pub. 2002/0002567)

In items 9-10 of the Office Action, the Examiner rejects claims 1-18 under 35 U.S.C. §103(a) as being unpatentable over O'Neil et al. (U.S. Pub 2003/0110150) in view of combinations of Jakopac and Jones et al. (U.S. Pub. 2004/0205583) and Kanie et al. (U.S. Pub.

2002/0002567). (Action at pages 3-15).

The rejections are traversed. As set forth in MPEP §2143.03 "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art."

Applicant submits that *prima facie* obviousness is not established since features recited by each of the independent claims are not taught by even an *arguendo* combination of the cited art.

Independent claim 1, for example, recites a method for converting a structured document including:

a) "dividing, by a computer, a structured document in XML format, which is composed of tagged documents listed sequentially and ordered hierarchically, by tags, in a file; and

b) "converting said structured document into tagged documents that added positional information comprising an index indicating an order of a respective tagged document in the structured document and a depth of the respective tagged document defined by the XML structured document format in said structured document to said divided documents. (emphasis added)."

Independent claim 2, 9, 10, 16, and 18 have similar recitations.

Further, independent claim 1, for example, additionally recites a method "wherein said converting further comprises converting the structured document into a new structured document in XML format by adding said index and said depth information as attribute values restricted by a namespace." Independent claims 9, 16 and 18 have a similar recitation.

Further, independent claim 9, for example, recites a method "rearranging said tagged documents in accordance with said added positional information of said converted tagged documents; and restoring said structured document in XML format by deleting said positional information from said tagged documents." Independent claims 10 and 18 have similar recitations.

Applicant submits that the Examiner is incorrect in his assertions. Applicant submits that none of the art, alone or in *arguendo* combination teach such a converting of structured document into tagged documents that added positional information including an index indicating an order of a respective tagged document in the structured document and a depth of the respective tagged document defined by the XML structured document format in said structured document to said divided documents, as recited by claim 1 for example.

The Action concedes that:

> O'Neil does not explicitly disclose converting the XML structured document into another XML document and attribute values restricted by a namespace.

(Action at page 4, lines 12-13).

However, the Examiner asserts:

> Jakopac teaches converting an XML structured document into another XML structured document that added positional information indicating a position in said structure document . . . adding level attribute tag and index information into a XML structured document to indicating a position in XML structured document). It would have been obvious . . . to have combined Jakopac's .and O'Neil's teaching, since the combination would have converted an XML document into a XML document or XML tree for comparison of position identifiers in the XML document.

(Action at page 4, lines 14-21). The Examiner also asserts:

> Jones teaches elements of an XML file have an associated namespace; each XML document can use a namespace to identify the type of XML associated with the document (Jones, [0001], [0002]). It would have been obvious . . . to have combined Jones' teaching of namespace into O'Neil and Jakopac' s XML document to associate a namespace to the document, since the combination would have used the namespace for identify the type, the elements of the XML document, wherein the namespace is commonly used as Jones' disclosed in paragraph 0002.

(Action at page 4, lines 1-8).

However, Applicant submits that a "position" taught by Jakopac cited by the Examiner does not teach an index indicating an order of a respective tagged document in the structured document and a depth of the respective tagged document defined by the XML structured document format in said structured document to said divided documents.

By contrast, Jakopac teaches:

> FIG. 15 illustrates an original document with entry tags LEVEL 1, LEVEL 2 and LEVEL 3. If compression is specified for LEVEL 2, there will be two sub-tree entries in the compressed file. The first entry will correspond to the LEVEL 2 entity with color attribute "red" and the second will be the LEVEL 2 entity with the color attribute "blue." The LEVEL 2 tag is copied into the compressed sub-trees so that each is a proper tree and not a forest. If this were not done, the sub-tree for the LEVEL 2 entity with color attribute "blue" would have a single compressed file entry that contained two level 3 entities with no sub-tree root.

(See, for example, paragraphs [0061] –[0062])

That is, Jakopac merely teaches insertion of tags into a single document to indicate whether a portion of that single document should be compressed or uncompressed. Jakopac merely teaches LEVEL tags that indicate whether a file is to be compressed and how many nested entity levels down from the document root to go before compressing sub-trees.

According to an aspect of the present invention, as illustrated, for example in Figs. 4 and 5, the tags added to the documents include positional information based on both an order, e.g., top - down and a depth, e.g., left to right.

Further, such a tagging allows the original document to be restored, both in order and depth, as recited by independent claims 9, 10, and 18.

Applicant submits that such a restoring would not be possible with combinations of the teachings of cited art. That is, a document that is *arguendo* rearranged in both order and depth could not be restored to the original document format based on, for example, "ORDPATH" information taught by O'Neil, as the Examiner asserts. (Action at page 6, lines 12-18).

No Motivation To Modify O'Neil

Further, Applicant submits that *prima facie* obviousness is not established since there is no motivation to modify the art, in particular, O'Neil in a manner as the Examiner suggests.

O' Neil teaches converting a XML document into a Document Object Model (DOM) tree that is not in XML format (see, for example, paragraphs [0040]-[0047]). While there may be *arguendo* motivation to modify O'Neil to tag a separate section of a document for selective compression and decompression, Applicant submits that one of ordinary skill in the art would not have looked to modify O'Neil to change the purpose of the invention therein, in a manner as suggested by the Examiner.

Summary

Since features recited by each of independent claims 1, 2, 9, 10, 16, and 18 (and respective dependent claims) are not taught by the cited art alone or in combination and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 1-18 allowed.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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